

BOARD OF APPEAL REFERRALS

September 6, 1979

1. Z-4496 Creative Development Inc.
100(R) Kemble Street, Roxbury
2. Z-4503 Herman H. and Harriet Jacobs, Trustee
76-86 South Street, Boston
3. Z-4504 Massachusetts Trustees of International Committee
of YMCA for Army and Navy Work Inc.
31-33 City Square and 1-11 Warren Avenue,
Charlestown
4. Z-4508 Lucy A. Cibotti
36 Warren Avenue, Hyde Park
5. Z-4510 Charlie's Auto Center, Inc.
1200 Hyde Park Avenue, Hyde Park
6. Z-4511 Juan M. and Bernice Taveras
32 Monument Square, Charlestown
7. Z-4517 Mario Nicosia
257 West Newton Street, Boston
8. Z-4537 James J. and Margaret F. McCarthy
1619-21 Tremont Street and 2A Wigglesworth Street,
Roxbury
9. Z-4538 Samuel B. Knight
109 Warren Street, Charlestown
10. Z-4541 Roman Catholic Archbishop of Boston
4-8 Ashwood Terrace, Roslindale
11. Z-4543 John J. Bartlett
6 Prospect Circle, Hyde Park
12. Z-4552 Clifford W. Bates
1931 Dorchester Avenue, Dorchester

September 6, 1979

1

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Tabled August 23, 1976

Hearing: September 11, 1979

Z-4496

Creative Development Inc.
100(R) Kemble Street, Roxbury
Near Magazine Street

Two-story masonry structure

District(s): apartment _____ general business _____ industrial I-2
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to use premises to recycle materials.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Outdoor storage, recycling and compaction of junk, scrap, paper, rags, unrepainted or un-cleaned containers or other salvage articles is conditional in an I-2 District.		

Area is predominantly industrial. It is proposed to recycle and compact metal and cardboard for resale purposes. Other materials collected in the process would be removed daily. Code requires the conditional use be screened by a wall or fence not less than seven feet high. Petitioner will enclose the lot with a twelve foot high solid fence. Recommend approval with Provisos.

VOTED: In reference to Petition Z-4496, brought by Creative Development Inc., 100(R) Kemble Street, Roxbury, for a conditional use to use premises to recycle materials in an Industrial (I-2) District, the Boston Redevelopment Authority recommends approval with the following provisos: that all materials other than metal and cardboard be removed from the premises daily; that the street be maintained free of debris at all times; that rodent control be provided, that fencing plans be submitted to the Authority for Design Review.



Hearing: 9/18/79

Z-4503

Herman H. & Harriet Jacobs, Trustees
76-86 South Street, Boston
At East Street

Five Story structure M-8

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____ M-8

Purpose: Change occupancy from leather and shoe business to eight apartments - artists and professional studios and wholesale retail hardware.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
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8-7 Multi family dwelling is conditional in an M-8 District

In 1976, the Authority approved a similar petition and Board of Appeal concurred with proviso terminating use August 31, 1979. Studio - apartments are occupied by artists for working dwelling purposes. Wholesale retail hardware leases ground floor and basement of structure. Proposal is consistent with other residential - commercial uses in this former leather District. Recommend Approval with Proviso.

VOTED: In Reference to Petition Z-4503, brought by Herman H. & Harriet Jacobs, Trustees, 76-86 South Street, Boston, for a conditional use for change of occupancy from leather and shoe business to eight apartments - artists and professional studios and wholesale-retail hardware in a manufacturing (M-8) District, the Boston Redevelopment Authority recommends approval provided plans for facade changes are submitted to the Authority for design review.

Z-4503
76-86 SOUTH ST.
(B.P.)



Board of Appeal Referrals September 6, 1979

3

Hearing: 9/18/79

Z-4504

Mass. Trustees of International
Comm. of YMCA for Army & Navy Work Inc.
31-33 City Square
1-11 Warren Avenue, Charlestown

Four story structure - B-1

District(s): apartment _____ general business B-1 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from YMCA to YMCA, Assessment Center
(Detention Center) for 14 girls, 10 boys and group care
residence for ten adults.

Violation(s):

Section

Required

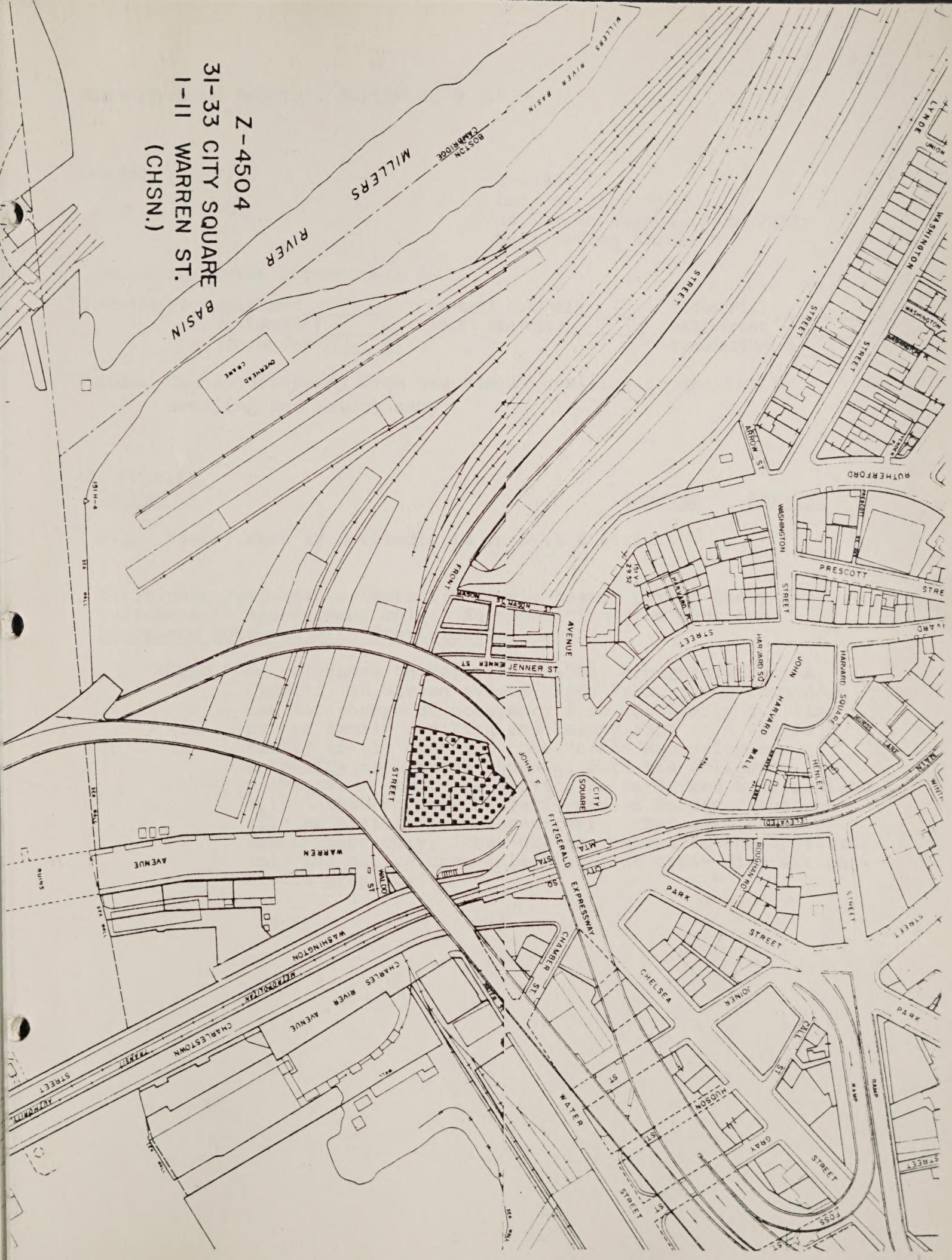
Proposed

8-7. Detention Center for 24 persons is
conditional in a B-1 District.

Facility has been operating since 1972 without support of community
groups and residents. Recommend Denial.

VOTED: In Reference to Petition Z-4504 brought by
Mass Trustees of International Comm. of YMCA
for Army and Navy Work Inc. 31-33 City Square
and 1-11 Warren Avenue, Charlestown, for
conditional use for change of occupancy from
YMCA to YMCA, Assessment Center (Detention
Center) for 14 girls and ten boys in a General
Business (B-1) District, the Boston Redevelop-
ment Authority Recommends Denial. Facility
has been operating since 1972 without support
of community groups and residents.

Z-4504
31-33 CITY SQUARE
I-II WARREN ST.
(CHSN.)



4

Board of Appeal Referrals September 6, 1979

Hearing: 10/12/79

Z-4508

Lucy A. Cibotti
36 Warren Avenue, Hyde Park
Near Beacon Street

One Story Frame Structure - S-.5

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.5 manufacturing _____

Purpose: Change occupancy from one family dwelling to one family dwelling and beauty shop.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
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8-7. Beauty shop is forbidden in an S-.5 district.

Petitioner proposes to install a single beauty parlor chair for customers by appointment only. No opposition from abutters.
Recommend Approval with Provisions.

VOTED: In reference to Petition Z-4508, brought by Lucy A. Cibotti, 36 Warren Avenue, Hyde Park, for a forbidden use for change of occupancy from one family dwelling to one family dwelling and beauty shop in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the service be performed by appellant only; that no work be performed on Sunday; that no sign be visible from the street; that service be by appointment only; that the use extend to the appellant only and expire upon sale, lease or other disposition of the property.

Z-4508
36 WARREN AVE.
(H B)



August 23, 1979 - tabled

5

Board of Appeal Referrals September 6, 1979 - resubmitted

Hearing: 9/18/79

Z-4510

Charlie's Auto Center, Inc.

1200 Hyde Park Avenue, Hyde Park
at Clay Street

One-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-.5 waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy from gas station and outdoor display of used cars to repair shop—auto body garage and outdoor display of used cars; to erect one-story addition.

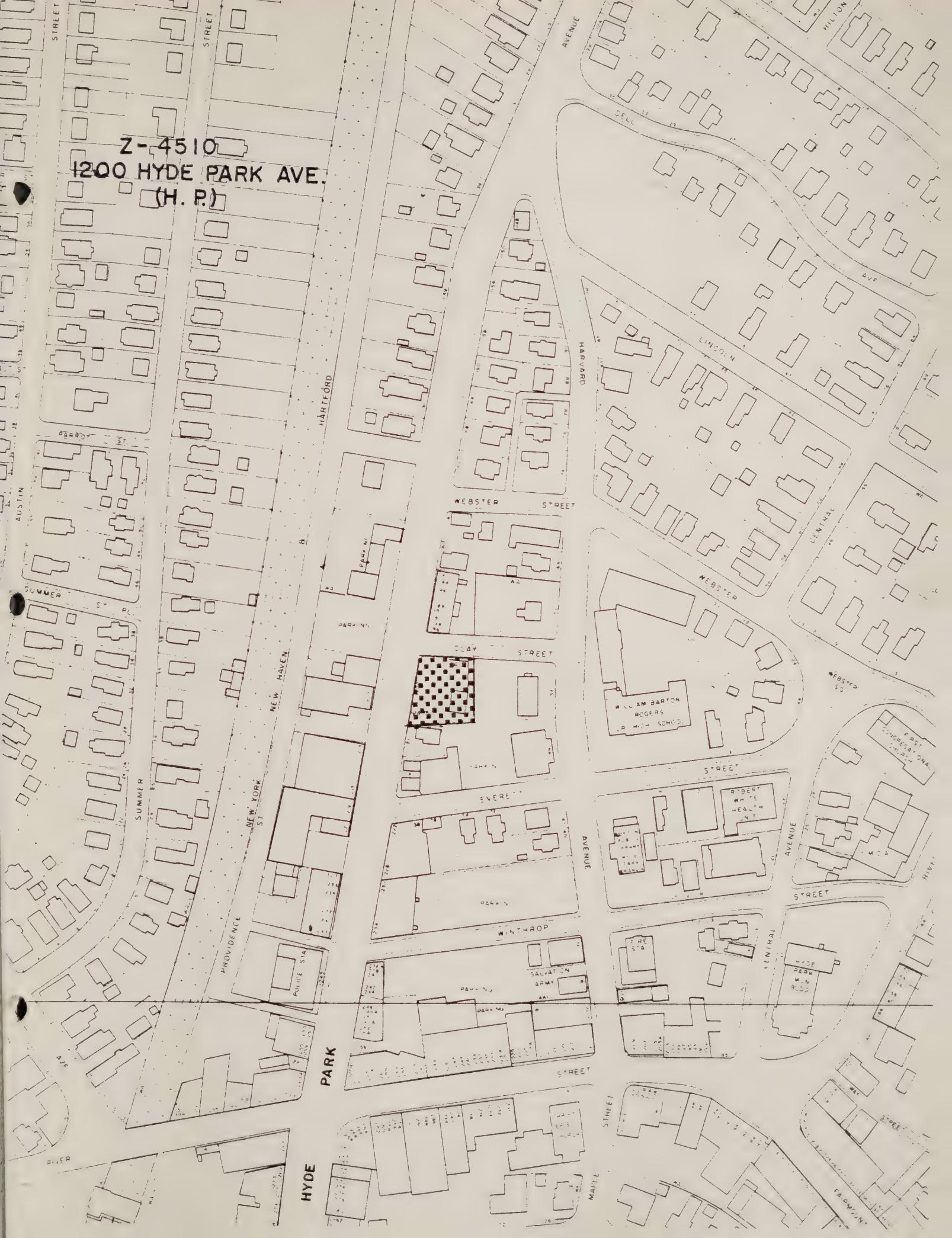
Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-6. Addition to conditional use requires Board of Appeal hearing.		

Use has been in existence approximately two years. Addition of third working bay will eliminate exterior work and also allow petitioner to compete with similar auto service facilities in the immediate area. Little City Hall and neighboring residents have no objection. Recommend approval with proviso.

VOTED: In connection with Petition Z-4510, brought by Charlie's Auto Center, Inc., 1200 Hyde Park Avenue, Hyde Park, for a conditional use for change of occupancy from gas station and outdoor display of used cars to repair shop—auto body garage and outdoor display of used cars in a Local Business (L-.5) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-4510
1200 HYDE PARK AVE.
(H. P.)



Board of Appeal Referrals September 6, 1979

Hearing: 10/2/79

Z-4511
Juan M. & Bernice Taveras
32 Monument Square
Charlestown
Near Laurel Street

Three story structure - H-1

District(s): apartment H-1 general business _____ industrial _____
residential local business _____ waterfront _____
single family manufacturing _____

Purpose: Legalize occupancy - three family dwelling

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7 Any dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an H-1 District.		
14-2. Lot Area is insufficient	7,000 sf.	1,806 sf.
17-1. Open space is insufficient	400 sf.	197 sf.

Dwelling will be owner occupied. Community groups and abutters have no objections. Recommend approval with proviso.

VOTED: In Reference to Petition Z-4511, brought by Juan M & Bernice Taveras, 32 Monument Square, Charlestown, for a forbidden use and two variances to legalize occupancy for three family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with proviso that rear right-of way be restricted to pedestrian traffic only.



Board of Appeal Referrals September 6, 1979 - resubmitted

7

August 23, 1979 - tabled

Hearing: 9/11/79

Tabled August 23, 1979

Z-4517

Mario Nicosia

257 West Newton Street, Boston

Near St. Botolph Street

Three-story structure

District(s): apartment H-2 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: To change occupancy from two apartments and lodging house to real estate office.

Violation(s):

Section

Required

Proposed

8-7 Real estate office is forbidden in an H-2 District.

Proposal is consistent with existing commercial uses adjacent to it in this mixed residential-local business area. St. Botolph Civic Association and Little City Hall have no objection. Recommend Approval with Provisos.

VOTED: In reference to Petition Z-4517, brought by Mario Nicosia, 257 West Newton Street, Boston, for a forbidden use for change of occupancy from two apartments and lodging house to real estate office in an Apartment (H-2) District, the Boston Redevelopment Authority recommends approval with the following provisos: That the use extend to the appellant only and expire upon sale, lease or other disposition of the property; that no structural alterations be allowed which would detract from its return to residential occupancy.



Z-4517
257 WEST NEWTON S.
(B.P.)

Board of Appeal Referrals September 6, 1979

Hearing: October 30, 1979

Z-4537

James J. & Margaret F. McCarthy
1619-21 Tremont Street &
2A Wigglesworth Street, Roxbury

Three story frame structure L-1

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from four apartments and tavern to
four apartments and tavern with live entertainment.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
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8-7. Restaurant providing entertainment is forbidden in
a Local Business (L-1) District.

Live entertainment (two musical instruments and vocal) would have
a detrimental impact on residents above and adjacent to the tavern.
Opposition has been expressed. Recommend Denial.

VOTED: In Reference to Petition Z-4537, brought
by James J. & Margaret F. McCarthy, 1619-
21 Tremont Street and 2A Wigglesworth Street,
Roxbury, for a forbidden use for change of
occupancy from four apartments and tavern to
four apartments and tavern with live entertain-
ment in a Local Business (L-1) District, the
Boston Redevelopment Authority recommends denial.
Live entertainment would have a detrimental
impact on residents above and adjacent to the
tavern. Opposition has been indrated.



September 6, 1979

9

Hearing: 10/2/79

Z-4538

Samuel B. Knight
109 Warren Street, Charlestown
at Thompson Square

2½ story frame structure - H-1

District(s): apartment H-1 general business _____
residential _____ local business _____ industrial _____
single family _____ waterfront _____
manufacturing _____

Purpose: Change attached garage to office; erect one story addition.

Violation(s):

SectionRequiredProposed

9-1 Extension of a non-conforming use requires Board of Appeal Hearing.

15-1. Floor area ratio is excessive.

Proposed conversion of garage will provide additional space for law office and improve property. Area residents and abutters report favorably. Recommend Approval.

VOTED: In Reference to Petition Z-4538, brought by Samuel B. Knight, 109 Warren Street, Charlestown, for an extension of a non-conforming use and a variance to change attached garage to office and erect a one-story addition in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval. Proposed renovation of garage for law office will improve property and enhance area.

Z-4538

109 WARREN ST.
(CHSN.)



Hearing: 9/25/79

Z-4541

Roman Catholic Archbishop of Boston
4-8 Ashwood Terrace
Roslindale
At Cummins Highway

Three story frame structure-one story masonry structure.

District(s): apartment _____ general business _____ industrial _____
residential R-.5 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Subdivide Land

Violation(s):

SectionRequiredProposed

19-1. Side yard is insufficient 10 ft. 1 ft.

Property is located within Church complex. Three family dwelling previously housed parish employees. Subdivision will enable petitioner to secure a purchaser who would improve exterior condition of building. Abutters indicate support. Recommend Approval.

VOTED: In Reference to Petition Z-4541, brought by Roman Catholic Archbishop of Boston, 4-8 Ashwood Terrace, Roslindale, for a variance to subdivide land in a residential (R-.5) District, the Boston Redevelopment Authority recommends approval. Yard violation is existing, technical and will not adversely affect abutting properties.



Board of Appeal Referrals September 6, 1979

Hearing: 9/18/79

Z-4543

John J. Bartlett

6 Prospect Circle, Hyde Park
Near Prospect Street

2½ story frame structure - S-.3

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.3 manufacturing _____

Purpose: erect one story addition to single family dwelling.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
19-1. Porch over half the length of sidewall and extending more than 3.5 feet into side yard is not allowed.		

New 21' x 17' rear porch addition will not adversely affect abutting properties. No objection from abutters. Recommend Approval.

VOTED: In Reference to Petition Z-4543, brought by John J. Bartlett, 6 Prospect Circle, Hyde Park, for a variance to erect a one story addition to a one family dwelling in a single family (S-.3) District, the Boston Redevelopment Authority recommends approval. Porch addition will not adversely affect abutting properties.



Z-4543
6 PROSPECT CIRCLE
(H.P.)

Board of Appeal Referrals 9/6/79

Hearing: 9/18/79

Z-4552

Clifford W. Bates
1931 Dorchester Avenue, Dorchester
at Bailey Street

Gas service station

District(s): apartment _____
residential _____
single family _____general business _____
local business L-1 _____
industrial _____
waterfront _____
manufacturing _____

Purpose: Change occupancy from gas station to restaurant; erect two one-story additions.

Violation(s):

SectionRequiredProposed

20-1 Rear yard is insufficient.

Area is commercial, located on a major thoroughfare, and across the street from Ashmont station. Location is appropriate; violation is technical. Majority of neighborhood supports the proposed use. Recommend approval with proviso.

VOTED: In reference to Petition Z-4552, brought by Clifford W. Bates, 1931 Dorchester Avenue, Dorchester, for a variance for a change of occupancy from gas station to restaurant and to erect two one-story additions in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



